

Animal and Plant Health Inspection Service, USDA

§ 360.200

360.501 Petitions to remove a taxon from the noxious weed lists.

360.600 Preemption of State and local laws.

AUTHORITY: 7 U.S.C. 7701–7772 and 7781–7786; 7 CFR 2.22, 2.80, and 371.3.

§ 360.100 Definitions.

As used in this part, words in the singular form shall be deemed to import the plural and vice versa, as the case may require.

Administrator. The Administrator, Animal and Plant Health Inspection Service, or any individual authorized to act for the Administrator.

APHIS. The Animal and Plant Health Inspection Service, United States Department of Agriculture.

Department. The U.S. Department of Agriculture.

Interstate. From one State into or through any other State; or within the District of Columbia, Guam, the Virgin Islands of the United States, or any other territory or possession of the United States.

Move. To carry, enter, import, mail, ship, or transport; to aid, abet, cause, or induce the carrying, entering, importing, mailing, shipping, or transporting; to offer to carry, enter, import, mail, ship, or transport; to receive to carry, enter, import, mail, ship, or transport; to release into the environment; or to allow any of the activities described in this definition.

Noxious weed. Any plant or plant product that can directly or indirectly injure or cause damage to crops (including nursery stock or plant products), livestock, poultry, or other interests of agriculture, irrigation, navigation, the natural resources of the United States, the public health, or the environment.

Permit. A written authorization, including by electronic methods, by the Administrator to move plants, plant products, biological control organisms, plant pests, noxious weeds, or articles under conditions prescribed by the Administrator.

Person. Any individual, partnership, corporation, association, joint venture, or other legal entity.

Plant Protection and Quarantine Programs. The Plant Protection and Quarantine Programs, Animal and Plant

Health Inspection Service of the Department.

Responsible person. The person who has control over and will maintain control over the movement of the noxious weed and assure that all conditions contained in the permit and requirements in this part are complied with. A responsible person must be at least 18 years of age and must be a legal resident of the United States or designate an agent who is at least 18 years of age and a legal resident of the United States.

State. Any of the several States of the United States, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands of the United States, or any other territory or possession of the United States.

Taxon (taxa). Any grouping within botanical nomenclature, such as family, genus, species, or cultivar.

Through the United States. From and to places outside the United States.

United States. All of the States.

[41 FR 49988, Nov. 12, 1976, as amended at 75 FR 68953, Nov. 102, 2010]

§ 360.200 Designation of noxious weeds.

The Administrator has determined that it is necessary to designate the following plants¹ as noxious weeds to prevent their introduction into the United States or their dissemination within the United States:

(a) *Aquatic and wetland weeds:*

Azolla pinnata R. Brown (mosquito fern, water velvet)

Caulerpa taxifolia (Vahl) C. Agardh, Mediterranean strain (killer algae)

Eichhornia azurea (Swartz) Kunth

Hydrilla verticillata (Linnaeus f.) Royle (hydrilla)

¹One or more of the common names of weeds are given in parentheses after most scientific names to help identify the weeds represented by such scientific names; however, a scientific name is intended to include all subordinate taxa within the taxon. For example, taxa listed at the genus level include all species, subspecies, varieties, and forms within the genus; taxa listed at the species level include all subspecies, varieties, and forms within the species.